

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Attorney's Docket Number: 5552.0953-04

Prior Application:

Art Unit: 1806

Examiner: Scheiner, T.

SIR: This is a request for filing a

[] Continuation [X] Divisional Application under 37 C.F.R. § 1.60 of pending prior application Serial No. 08/267,539 filed June 29, 1994

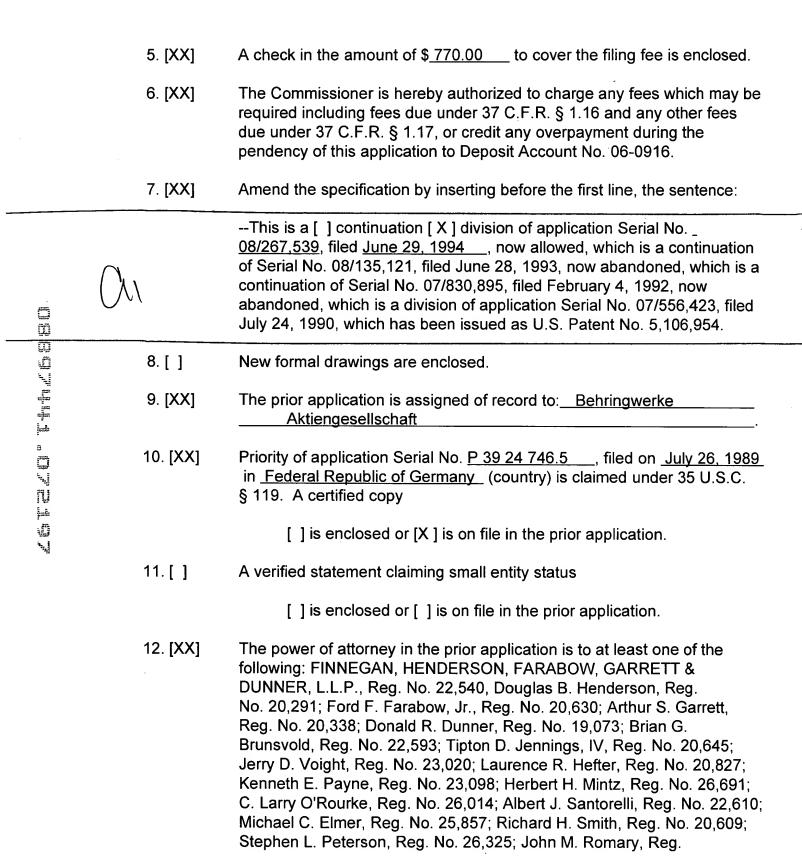
of Mathias FIBI et al. for ERYTHROPOIETIN (EPO) PEPTIDES AND ANTIBODIES [Inventor(s)] **DIRECTED AGAINST THESE**

[Title of Invention]

- 1. [XX] Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of the first filed prior application Serial No. <u>07/556,423</u> as originally filed on <u>July 24, 1990</u>.
- 2. [XX] Cancel Claims 2-4 and 13. (At least one original independent claim must be retained for filing purposes.)
- 3. [XX] A Preliminary Amendment is enclosed.
- 4. [XX] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

For	:	Number Filed	:Nu	ımber E	xtra :	Rate	e :	Bas	ic Fee \$770.	.00
Total	:		:		•		:			
Claims	. :	18 -20=		0	: >	(\$ 22 .	00= :	\$	0	
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Reduction by ½ for							:			
	filing by small entity						:	-		
	TOTAL FILING FEE						<u>=:</u>		770.00	





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- 13. [XX] The power appears in the original declaration of the prior application.
- 14. [] Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
- 15. [XX] Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.
- 17. [] Also enclosed is _____

<u>PETITION FOR EXTENSION</u>. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. <u>08/267,539</u>, filed <u>June 29, 1994</u>, for the purpose of maintaining copendency between the parent

Date: July 21, 1997

application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Carol P Finaudi

Reg. No.: 32,220